

## REMARKS

Claim 69 is amended. Withdrawn claims 55-68 are canceled. New claim 75 is added. Support for the new claim is provided by an exemplary embodiment of Applicant's invention at, for example, Fig. 21 of the originally-filed application. Claims 69-75 remain in the application. Reconsideration of the application in view of the amendments and the remarks to follow is requested.

Claims 69-74 stand rejected under 35 U.S.C. §102(b) as being anticipated by Applicant's admitted prior art.

Claim 69 is rejected over Fig. 12 of Applicant's prior art disclosure (pgs. 2-3 of paper no. 20031029). Such claim is amended to recite an oxide layer formed over upper surfaces of a semiconductor substrate and having an uppermost surface. Claim 69 further recites an insulative material has a portion outward of a trench, the portion has sidewalls that comprise first and second curved segments, the first curved segment comprises a first apex and the second curved segment comprises a second apex directed toward the semiconductor substrate, the second apex being elevationally at or above the uppermost surface of the oxide layer. Support for the amendment language is provided by an exemplary embodiment of Applicant's invention at, for example, Fig. 21 of the originally-filed application. Fig. 12 of Applicant's prior art disclosure clearly illustrates a dip 32 of an oxide plug 30 has a pointed apex that is elevationally below an uppermost surface of oxide layer 36, not elevationally at or above the surface. Accordingly, it is inconceivable that Applicant's prior art disclosure

teaches or suggests the second apex elevationally above the uppermost surface of the oxide layer as positively recited in claim 69. Since Applicant's prior art disclosure fails to teach or suggest a positively recited limitation of claim 69, claim 69 is allowable.

Claims 70-75 depend from independent claim 69, and therefore, are allowable for the reasons discussed above with respect to the independent claim, as well as for their own recited features which are not shown or taught by the art of record.


For example, regarding claim 75, such claim recites a trench comprises sidewalls intersecting upper surfaces of a semiconductor substrate, the intersection being positioned elevationally directly below a second curved segment of a portion of insulative material. Applicant's prior art disclosure at Fig. 12 illustrates a dip 32 of an oxide plug 30 that is laterally spaced from an intersection of a trench sidewall and a substrate upper surface. That is, the intersection is **not** elevationally **directly below** dip 32. Accordingly, it is inconceivable that Applicant's prior art disclosure teaches or suggests an intersection being positioned elevationally directly below a second curved segment of a portion of insulative material as positively recited in claim 75. Since Applicant's prior art disclosure fails to teach or suggest a positively recited limitation of claim 75, claim 75 is allowable.

This application is now believed to be in immediate condition for allowance, and action to that end is respectfully requested. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the

undersigned respectfully requests a telephone interview prior to issuance of any such subsequent action.

Respectfully submitted,

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